

**REMARKS**

Claims 1 and 5 are amended herein; new drawing Figures 4 and 5 are submitted herewith and the specification is amended herein to include a description of Figures 4 and 5. Support is found, for example, on page 5, the fourth paragraph, page 15, the paragraph bridging pages 15-16 and in Figure 1 of the original specification. No new matter is presented.

Accordingly, upon entry of the Amendment, claims 1-10 will be all of the claims pending in the application.

**I. Response to Objection to Drawings**

The drawings are objected to in paragraph 2 of the Office Action dated January 11, 2005.

One new drawing sheet is submitted herewith including Figures 4 and 5. Figure 4 is a cross-sectional view of an embodiment of the invention. Figure 5 illustrates the layer constitution of the optical recording medium of the claimed invention. The specification is also amended to include a description of Figures 4 and 5. Support for Figures 4 and 5 and the amendment to the specification is found, for example, on page 5 in the fourth paragraph of the original specification. No new matter is presented.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the drawings.

**II. Response to Claim Rejection under 35 U.S.C. § 112, Second Paragraph**

Claim 1 is rejected as being indefinite regarding the recitations of "a transparent substrate" in line 2, "another substrate" in line 7, and "the substrate" in line 13. The Examiner

states that it is unclear as to whether “the substrate” should refer to the “transparent substrate” or to “another substrate”.

Claim 1 is amended herein to clarify the claim language. Thus, when properly read in view of the specification, one of ordinary skill in the art can readily understand the meaning and scope of the claim.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

#### **IV. Response to Claim Rejections Under 35 U.S.C. § 103**

Claims 1 and 4-10 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Itoigawa et al in view of O’Brien.

Claims 2 and 3 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Itoigawa et al in view of O’Brien and further in view of Takemura et al.

Applicants respectfully traverse the rejections and submit that the cited references do not teach or suggest the present invention, whether taken alone or in combination.

The present invention is directed to an optical recording medium, which comprises;

a transparent substrate having a center hole;

a reflective layer which is provided on the substrate at an outer side of a circumference of the center hole;

a first adhesive layer which is provided on the reflective layer at an outer side of a circumference of the center hole;

a second adhesive layer which is formed on a portion of the transparent substrate; and

one of another substrate which is laminated on the first adhesive layer and the second adhesive layer and has a shape that is the same as that of the transparent substrate, and another layer having a shape that is substantially the same as that of the transparent substrate wherein the portion resides between an edge portion of the center hole and whichever of an inner circumferential portion of a region having the reflective layer formed thereon and an inner circumferential portion of a region having the first adhesive layer formed thereon is closer to the center hole.

The Examiner notes that Itoigawa et al does not show a second adhesive layer which is formed on a portion of the transparent substrate, wherein the portion resides between an edge portion the center hole and whichever of an inner circumferential portion of a region having the reflective layer formed thereon and an inner circumferential portion of a region having the first adhesive layer formed thereon is closer to the center hole.

To remedy this deficiency, the Examiner relies on O'Brien for the alleged teaching of an optical recording medium wherein a second adhesive layer (93) is formed on a portion of the substrate.

To the contrary, Applicants submit that O'Brien teaches an optical storage device having an optically-transparent substrate, a reflective layer and a print layer. The print layer has a first print layer surface bonded to the reflective layer surface and a second print layer surface (claim 1 of O'Brien). O'Brien specifically teaches layer constitutions in which an "EAS tag (91)" is fixed on either a protective layer (87) or a reflective layer (83') via an adhesive layer (93). See Figures 7-11 of O'Brien.

Thus, the Examiner mistakenly considers that the adhesive layer (93) of O'Brien as corresponding to the second adhesive layer of the present invention. However, O'Brien fails to teach or suggest a layer constitution in which the adhesive layer (93) fixes a layer, which supports the EAS tag (91) (namely, the protective layer (87) or the reflective layer (83')), to another layer which constitutes the optical storage device of O'Brien. Takemura et al also fails to remedy this deficiency.

In view of the above, the cited references do not teach or suggest all elements of the claims and therefore the claimed invention is not rendered obvious. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

#### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111  
U.S. App. Ser. No. 10/606,270

Atty Dckt. No. Q76017

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

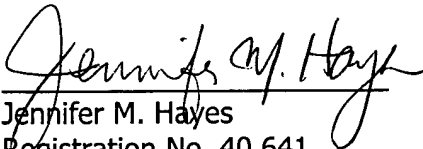
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**23373**

CUSTOMER NUMBER

Date: May 11, 2005

  
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**AMENDMENTS TO THE DRAWINGS**

Please insert New Drawing Figures 4 and 5.

Attachment: (1) New Drawing Sheet